

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JEFFREY M. DAVIS, Jr.,

Plaintiff,

v.

CINDY HARDING, *et al.*,

Defendants.

ORDER

12-cv-559-wmc

State inmate Jeffrey M. Davis, Jr., filed this civil action pursuant to 42 U.S.C. § 1983, concerning the conditions of his confinement at the Columbia Correctional Institution. In particular, Davis claims that defendants failed to protect him from self-harm on more than one occasion. Davis has now filed a motion for a temporary restraining order or preliminary injunctive relief on the grounds that he has been approved for transfer to the Green Bay Correctional Institution. After considering defendants' response, Davis's motion must be denied for reasons set forth below.

Davis's motion for a preliminary injunction must be denied for three reasons. First, Davis has failed to comply with governing procedures found in Fed. R. Civ. P. 65 and local rules on motions for injunctive relief in this district by providing a stipulation or statement of proposed facts in support of his request.¹ Second, Davis's request for a preliminary injunction does not implicate any of the defendants or concern the merits of his underlying complaint nor otherwise meet the low threshold showing that he is likely to succeed on the merits, that he has no adequate remedy at law, and that he is likely to

suffer irreparable harm in the absence of preliminary relief. *See Planned Parenthood of Indiana, Inc. v. Comm'r of the Indiana State Dep't of Health*, 699 F.3d 962, 972 (7th Cir. 2012) (citations omitted). Third, defendants disclose that Davis's transfer to the Green Bay Correctional Institution has been rescinded, which effectively moots Davis's request, at least at this time. Under these circumstances, the motion must be denied.

ORDER

IT IS ORDERED that Jeffrey M. Davis, Jr.'s motion for a preliminary injunction (dkt. # 172) is DENIED.

Entered this 12th day of February, 2014.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge

¹ The court's written *Procedures to be Followed on Motions for Injunctive Relief* are available from the Clerk's Office upon request.